



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA



ZONING CHANGE REPORT

Meeting Date: November 3, 2014

Table A. Summary			
Application Summary			
Case Number	Z1200019	Jurisdiction	City
Applicant	Priest Craven & Associates, Inc.	Submittal Date	August 31, 2012
Reference Name	The Corners at Brier Creek	Site Acreage	122.22
Location	US 70 Highway at T.W. Alexander Drive		
PIN(s)	0769-03-21-3190.SPL, -11-1074, -00-6836, -29-8426, -2886, -0947, -20-7129, -30-4043, -38-0713, -39-2255, -4288, -6588		
Request			
Proposed Zoning	Planned Development Residential 12.000 (PDR 12.000) – 61.68 acres, Commercial General with a development plan (CG(D)) – 60.54 acres	Proposal	603 residential units and 390,000 square feet of nonresidential
Site Characteristics			
Development Tier	Suburban Tier		
Land Use Designation	Commercial, Low-Medium High Density Residential (4-8 DU/Ac.), and Recreation and Open Space		
Existing Zoning	Residential Rural (RR) – 122.22 acres		
Existing Use	Vacant		
Overlay	N/A	Drainage Basin	Lower Neuse
River Basin	Neuse	Stream Basin	Brier Creek

Determination/Recommendation/Comments	
Staff	Staff determines that, should the plan amendment be approved, this request is consistent with the <i>Comprehensive Plan</i> and applicable policies and ordinances.
Planning Commission	Recommend approval, 13-0 on September 9, 2014. The Planning Commission finds that the ordinance request is not consistent with the adopted Comprehensive Plan. However, should the plan amendment be approved, the request would be consistent with the Comprehensive Plan. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.
DOST	See Attachment 7
BPAC	No comments

A. Summary

This is a request to change the zoning designation of a twelve-parcel, 122.22 acre site from RR to PDR 12.000 and CG(D) for a maximum development of 603 units and 390,000 square feet of nonresidential use. The site is located along US 70 Highway at T.W. Alexander Drive and straddles the Durham-Wake County line (see Attachment 1, Context Map). This request is not consistent with the future land use designation of the *Comprehensive Plan* which designates this site as Commercial and Low-Medium Density Residential (4-8 DU/Ac.). A plan amendment, case A1200008, has been requested to change the future land use to Commercial and Medium Density Residential (6-12 DU/Ac.). Staff is supporting this request.

Appendix A provides supporting information.

B. Site History

On January 14, 2014 City Council voted to annex a total of 121.10 acres of this site; effective March 31, 2014. This included the initial zoning of property zoned RR in the County's jurisdiction and R-4, RD, and CUD-TD from the City of Raleigh's ETJ, to RR in the City's jurisdiction. The North Carolina General Assembly annexed three parcels into the City of Durham from the City of Raleigh totaling 1.08 acres on July 1, 2014, effective June 30, 2014.

C. Review Requirements

Planning staff has performed a sufficiency review for this Zoning Map Change request (reference UDO Sec. 3.2.4, Application Requirements [general] and 3.5.5, Application Requirements [for a Zoning Map Change]). This staff report presents the staff findings per Sec. 3.5.8, Action by the Planning Director, on the request's consistency with the Unified Development Ordinance and applicable adopted plans.

This review is based primarily on compliance with any applicable laws, plans, or adopted policies of the City Council. Any issues or concerns raised in this report are based on best

professional planning practice unless they have a basis in adopted plans, policies, and/or laws.

D. Unified Development Ordinance (UDO) Compliance

This request is consistent with the requirements of the Unified Development Ordinance. The associated development plan (see Appendix A, Attachment 4, Development Plan reduction) provides the required elements for a zoning map change request in the CG and PDR districts (Sec. 3.5.6.D, Sec. 6.10.1, and Sec. 6.11.3). In addition, commitments in excess of UDO requirements have been made (see Appendix D for supporting information):

Text Commitments. Text commitments have been proffered to commit to requirements in excess of ordinance standards. These commitments (see Table D5, Summary of Development Plan) include: right-of-way dedication, traffic mitigation improvements, accommodations for bike lanes, and dedication of a 200-foot greenway easement.

Graphic Commitments. Graphic commitments have been proffered which identify the location of the tree preservation areas and location of site access points.

Design Commitments. Nonresidential and multifamily projects require design commitments when requesting a zoning map change with a development plan. Through the design commitments of this project the applicant has committed to roofline details and building materials. A more detailed summary is provided in Table D5, Summary of Development Plan.

Determination. The requested CG and PDR zoning districts and associated development plan meets or exceeds the applicable requirements of the UDO. If this zoning map change request is approved, the attached development plan (Attachment 4) establishes the level of development allowed on the property.

E. Adopted Plans

A zoning map change request must be consistent with the *Comprehensive Plan*. As such, other adopted plans have been included by reference in this document. Table E, Adopted Plans, in Appendix E identifies the applicable policies of the *Comprehensive Plan* and other adopted plans included by reference.

Determination. The requested zoning districts and associated development is not consistent with the Future Land Use Map. However, should the plan amendment be approved the request would be consistent with the *Comprehensive Plan*.

Durham Comprehensive Plan Policy 8.1.2h requires the City-County Planning Department and other City and County departments use the ‘Wake-Durham Comprehensive Street System Plan’ when evaluating new development and shall require new development to provide facilities in conformance with those collector street plans when legally permissible.

The “Wake-Durham Comprehensive Street System Plan” includes the proposed ACC Boulevard collector street to provide access to the parcels along the north side of US 70 within Durham and Wake Counties.

Currently unfunded, the MPO’s Long Range Transportation Plan proposes to convert US 70 to a controlled access freeway with the proposed ACC Boulevard providing access to frontage development, thus improving traffic-flow on US 70.

Approximately 9,150 ft. (1.73 miles) of ACC Boulevard, east of T.W. Alexander Drive, has been constructed in the City of Raleigh in association with various developments. The developer for The Corners at Brier Creek proposes to construct 2,050 ft. of ACC Boulevard on the site of their proposed development, from the northwestern property boundary to Cozart Road (see development plan sheet 2 for detail).

The NCDOT has authorized the development of a loop road on the applicant’s proposed development site to provide direct access to proposed development on this site. Due to NCDOT’s acceptance of the aforementioned loop road, the Transportation Impact Analysis (TIA) for this project did not identify the extension of ACC Boulevard from Cozart Road east to TW Alexander Boulevard as a required improvement.

If approved as proposed, therefore, the completion of ACC Boulevard from Cozart Road east to TW Alexander Boulevard must be completed by others.

Conditions in other adopted plans have been identified (see Appendix E, Table E):

Long Range Bicycle Plan Map 4.8 and Durham Trails and Greenways Master Plan. A proposed greenway, Brier Creek Trail, is shown as a planned future trail along the Brier Creek tributary shown through this site. The applicant is committing to dedicate a 200-foot wide greenway easement to accommodate this condition.

F. Site Conditions and Context

Site Conditions. The 122.22-acre site is located along US 70 Highway at T.W. Alexander Drive; 118.19 acres (eleven parcels) are located to the north of this intersection with 4.30 acres (one parcel) located on the south side of T.W. Alexander Drive (see Attachment 1). The larger area is mostly forested and undeveloped. A vacant nonresidential building fronts on the north side of US 70 Highway and there are several residential structures along a driveway that extends south of Cozart Road. There is a 100-foot power line easement through the site as well as City of Durham sewer easement and pump station. The site is impacted by tributary streams to Brier Creek and associated floodway fringe and wetlands.

Area Characteristics. The site is in the Suburban Tier, straddling the Durham-Wake County line and approximately mid-way between downtown Durham and downtown Raleigh. The immediate area, known as Brier Creek, has developed into a commercial node with a range of new, supporting residential choices with quick access to the regional transportation network. The surrounding zoning districts include PDR 8.000, PDR 3.700, R-4 (Raleigh), CUD-TD (Raleigh), and TD (Raleigh).

Appendix F provides a summary of the uses and zoning in the more immediate vicinity of the subject site.

Determination. The proposed PDR and CG(D) district meets the ordinance and policy requirements in relation to development on the subject site. Commercial development at nodes and increasing residential choices for those nodes, while mitigating those impacts (see Sec. D and Sec. E of this report), is consistent with sound Planning principles.

G. Infrastructure

The impact of the requested change has been evaluated to suggest its potential impact on the transportation system, water and sewer systems, and schools. In each case, the impact of the change is evaluated based upon a change from the most intense development using the existing land use and zoning to the most intense use allowed under the request.

See Appendix G for additional information.

Determination. The proposed PDR and CG(D) districts and associated development plan is consistent with *Comprehensive Plan* policies regarding infrastructure impacts of road, transit, drainage/stormwater, and schools. The proposal is estimated to increase the traffic generation of the subject site by 31,587 daily trips, increase the students generated from the proposed use by 20 students in Durham County (and additional 139 student for Wake County), and increase the estimated water demand of the site by 120,360 gallons per day. The existing infrastructure has available capacity to meet these increases, or is being proposed for mitigation by the applicant.

Traffic Mitigation. A number of traffic mitigation commitments have been proffered by the applicant to mitigate the proposed increased traffic anticipated for the development (see Table D5, Summary of Development Plan).

H. Staff Analysis

Staff determines that this request is consistent with the *Comprehensive Plan*, should the plan amendment be approved, and applicable policies and ordinances. If the requested PDR 12.000 and CG(D) zoning designation were approved, the development plan would further establish the development potential of the proposed development.

I. Contacts

Table I. Contacts		
Staff Contact		
Amy Wolff, Senior Planner	Ph: 919-560-4137, ext. 28235	Amy.Wolff@DurhamNC.gov
Applicant Contact		
Agent: Patrick Byker, Morningstar Law Group	Ph: 919-590-0384	pbyker@morningstarlawgroup.com

J. Notification

Staff certifies that newspaper advertisements, letters to property owners within 600 feet of the site and the posting of a zoning sign on the property has been carried out in accordance with Section 3.2.5 of the UDO. In addition, the following neighborhood organizations were mailed notices:

- Inter-Neighborhood Council
- Fayetteville Street Planning Group
- Friends of Durham
- Unity in the Community for Progress
- Olive Branch Road Association
- RDU HZO Permit Area

K. Summary of Planning Commission Meeting September 9, 2014 (Case Z1200019)

Zoning Map Change Request RR to PDR 12.000 and CG (D).

Staff Report: Ms. Wolff presented the staff reports.

Public Hearing: Chair Harris opened the public hearing. One person signed up to speak; one person spoke in support and no one spoke in opposition. Chair Harris closed the public hearing.

Commission Discussion: Commissioners generally expressed support for the plan. However, there were some concerns regarding traffic and the provision of a bus shelter would be great.

Motion: Approval of The Corners at Brier Creek (Z12000019 (Padgett, Miller 2nd))

Action: Motion carried, 13-0

Findings: The Planning Commission finds that the ordinance request is not consistent with the adopted Comprehensive Plan. However, should the plan amendment be approved, the request would be consistent with the Comprehensive Plan. The Commission believes

the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

L. Supporting Information

Table K. Supporting Information		
Applicability of Supporting Information		
Appendix A	Application	Attachments: <ol style="list-style-type: none"> 1. Context Map 2. Future Land Use Map 3. Aerial Photography 4. Development Plan Reduction 5. Application 6. Submittal and Review History 7. DOST Memorandum
Appendix B	Site History	N/A
Appendix C	Review Requirements	N/A
Appendix D	Unified Development Ordinance	Table D1: Designation Intent Table D2: District Requirements Table D3: Environmental Protection Table D4: Project Boundary Buffers Table D5: Summary of Development Plan
Appendix E	Adopted Plans	Table E: Adopted Plans
Appendix F	Site Conditions and Context	Table F: Site Context
Appendix G	Infrastructure	Table G1: Road Impacts Table G2: Transit Impacts Table G3: Utility Impacts Table G4: Drainage/Stormwater Impacts Table G5: School Impacts Table G6: Water Impacts Attachments: <ol style="list-style-type: none"> 8. COD TIA Memorandum 9. NCDOT TIA Memorandum
Appendix H	Staff Analysis	N/A
Appendix I	Contacts	N/A
Appendix J	Notification	N/A
Appendix K	Summary of Planning Commission Meeting	Attachments: <ol style="list-style-type: none"> 10. Planning Commissioner's Written Comments 11. Ordinance Form 12. Consistency Statement

Appendix A: Application Supporting Information

Attachments:

1. Context Map
2. Future Land Use Map
3. Aerial Photography
4. Development Plan Reduction
5. Application
6. Submittal and Review History
7. DOST Memorandum

Appendix D: Unified Development Plan Supporting Information

Table D1. UDO Designation Intent	
PDR	Planned Development Residential - the PDR district is established to allow for design flexibility in residential development. A development plan is required with a request for this district, which shows a conceptual representation of the proposed site that indicates how the ordinance standards could be met. Any significant change to the development plan would require a new zoning petition. While PDR is primarily a residential district, other uses may be allowed under limited provisions of the ordinance.
CG	Commercial General - the CG district is established to provide for a wide variety of commercial activities of varying scales that are designed to be served by major thoroughfares. It is the intent of this district to provide sufficient size and depth of property to meet business needs, yet maintain safe traffic flows. Businesses in this district should be sited convenient to automotive traffic. Development in the CG District should provide safe pedestrian access to adjacent residential areas.
D	Development Plan – the letter “D” following a zoning district indicates that a development plan has been included with a zoning map change request. This designation may be added to any zoning map change request to signify that a conceptual representation of the proposed site has been submitted that indicates how the proposed development could meet ordinance standards. Any significant change to the development plan would require a new zoning petition.

Table D2. District Requirements – PDR			
	Code Provision	Required	Committed
Minimum Site Area (acres)	6.11.3.B.1	4	61.68
Residential Density (maximum)	6.11.3.C	Specified on plan	12.000 (DU/Ac.)
Maximum Height (feet)	6.11.3.C.3	90	60
Minimum Street Yard (feet)	6.11.3.E.1	15	15

Table D2. District Requirements – CG			
	Code Provision	Required	Development
Minimum Site Area (square feet)	6.10.1.B	20,000	2,637,122
Minimum Lot Width (feet)	6.10.1.B	100	250
Minimum Street Yard (feet)	6.10.1.B	25	25
Minimum Side Yard (feet)	6.10.1.B	25	25
Minimum Rear Yard (feet)	6.10.1.B	25	25
Maximum Height (feet)	6.10.1.B	50	50

Table D3. Environmental Protection			
Resource Feature	UDO Provision	Required	Committed
Tree Coverage	8.3.1C	15.1% (18.23 acres)	15.1% (18.23 acres)
Stream Protection (buffer in feet)	8.5.4.B	50	50

Table D4. Project Boundary Buffers			
Cardinal Direction	Adjacent Zone	Required Opacity	Proposal (minimum)
North	PDR 3.700	0.2/0.2	25 feet
	R-4	0.2/0.2	25 feet
East	R-4 (Raleigh)	0.2/0.2	25 feet
	CUD-TD (Raleigh)	0.2/0.4	25 feet
	PDR 8.000	0.2/0.2	25 feet
	RR	0.6/0.8	25 feet
South	CUD-TD (Raleigh)	N/A (right-of-way > 60 feet)	0
West	R-4 (Raleigh)	0.6/0.8	25 feet
	TD (Raleigh)	0.2/0.4	25 feet

Table D5. Summary of Development Plan		
Components	Description	Development Plan Sheet
Required Information	Intensity/Density. 603 units and 390,000 square feet of nonresidential.	2
	Building/Parking Envelope is appropriately identified.	2
	Project Boundary Buffers are appropriately shown.	2
	Stream Crossing. Two (2) potential locations shown.	2
	Access Points. Eight (8) access points has been identified.	2
	Dedications and Reservations. See Text Commitments below.	Cover, 2
	Impervious Area. 82.5% = 99.87 acres.	2
	Environmental Features. Stream, floodway fringe, and wetlands.	1, 2
	Areas for Preservation. Stream buffer and tree preservation as shown.	2
	Tree Coverage. 15.1% (18.23 acres) as shown.	2
Graphic Commitments	Location of tree preservation area. Location of access points.	2
Text Commitments	1. Summary of Roadway Improvements	
	<p>A. US 70 AND T.W. ALEXANDER DRIVE</p> <ol style="list-style-type: none"> Construct a second southbound left-turn lane on T.W. Alexander Drive to provide dual left-turn lanes with adequate storage and appropriate tapers. Revise the northbound approach of T.W. Alexander Drive to provide a single exclusive left-turn lane, two through lanes, and a free-flow right-turn lane. Revise the northbound departure lanes on T.W. Alexander Drive to provide two exclusive northbound through lanes. Construct an additional eastbound departure lane on US 70 to provide an additional through lane per NCDOT standards to receive the free-flow northbound right-turn lane. Upgrade the traffic signal to accommodate the additional lanes and adjust the signal timing accordingly. <p>B. LEESVILLE ROAD AND ANDREWS CHAPEL ROAD</p> <ol style="list-style-type: none"> Construct a second eastbound lane on Andrews Chapel Road to provide an exclusive left-turn lane with adequate storage and appropriate tapers. <p>C. LOOP ROAD</p> <ol style="list-style-type: none"> Construct the loop road to NCDOT standards with two through lanes from US 70 to T.W. Alexander Drive, a raised median, one through lane from T.W. Alexander Drive to US 70, bicycle lanes, and sidewalks along both sides of the 	Cover

Table D5. Summary of Development Plan		
	<p>roadway.</p> <p>D.T.W. ALEXANDER DRIVE AND LOOP ROAD/ALEXANDER PLACE DRIVEWAY</p> <ol style="list-style-type: none"> 1. Construct an exclusive southbound right-turn lane on T.W. Alexander Drive with adequate storage and appropriate taper. 2. Construct the loop road to provide one westbound through lane and three eastbound lanes (an exclusive left-turn lane, a shared left-turn/through lane, and an exclusive right-turn lane). 3. Install a traffic signal (subject to MUTCD warrants and approval by NCDOT). <p>E. LOOP ROAD AND TRACT 2 EAST (RIGHT-IN/RIGHT-OUT) DRIVEWAY</p> <ol style="list-style-type: none"> 1. Construct an exclusive westbound right-turn lane on the loop road with adequate storage and appropriate taper. 2. Construct the Tract 2 (right-in/right-out) driveway with one southbound lane (an exclusive right-turn lane) and one northbound lane. <p>F. LOOP ROAD AND TRACT I DRIVEWAY</p> <ol style="list-style-type: none"> 1. Construct an exclusive westbound left-turn lane on the loop road with adequate storage and appropriate tapers. 2. Construct an exclusive eastbound right-turn lane on the loop road with adequate storage and appropriate taper. 3. Construct the Tract 1 driveway with two northbound lanes (an exclusive left-turn lane and an exclusive right-turn lane) and one southbound lane. 4. Install a traffic signal with steel poles and mast arms (subject to MUTCD warrants and approval by NCDOT). <p>G.A) LOOP ROAD AND TRACT 2 WEST (RIGHT-IN/RIGHT-OUT)</p> <ol style="list-style-type: none"> 1. Construct an exclusive westbound right-turn lane on the loop road with adequate storage and appropriate taper. 2. Construct the Tract 2 west (right-in/right-out) driveway with one southbound lane (and exclusive right turn lane and one northbound lane). <p>B) LOOP ROAD AND TRACT I (RIGHT-IN/RIGHT-OUT) DRIVEWAY</p> <ol style="list-style-type: none"> 1. A determination on the need for the Tract 1 (right-in/right-out) driveway to the loop road will be made during the site plan review process. If the Tract 1 (right-in/right-out) driveway is provided (and approved by NCDOT and the City of Durham), then it must be constructed with one 	

Table D5. Summary of Development Plan		
	<p>northbound lane (an exclusive right-turn lane) and one southbound lane.</p> <p>I. CONNECTOR ROAD (AKA STREET A)</p> <p>1. Construct the connector road to City of Durham standards from the loop road to ACC Boulevard Extension with one northbound through lane, one southbound through lane, bicycle lanes, and sidewalks along both sides of the roadway.</p> <p>J. LOOP ROAD AND CONNECTOR ROAD (AKA STREET A)</p> <p>1. Construct three southbound lanes on the connector road to provide dual left-turn lanes with adequate storage and appropriate tapers and an exclusive right-turn lane with adequate storage and taper.</p> <p>2. Construct an exclusive westbound right-turn lane on the loop road with adequate storage and appropriate taper.</p> <p>3. Construct exclusive dual eastbound left-turn lanes on the loop road each with adequate storage and appropriate tapers.</p> <p>4. Construct an additional northbound departure lane on the collector road to provide an adequate storage and appropriate tapers to receive the dual eastbound left-turn lanes.</p> <p>5. Install a traffic signal with steel poles and mast arms (subject to MUTCD warrants and approval by NCDOT).</p> <p>K. LOOP ROAD AND 70 WEST (RIGHT-IN/RIGHT-OUT) DRIVEWAYS</p> <p>1. Construct an exclusive westbound right-turn lane on the loop road with adequate storage and appropriate taper.</p> <p>2. Construct the northern leg of the 70 Vest (right-in/right-out) driveway with one southbound lane (an exclusive right-turn lane) and one northbound lane.</p> <p>3. Construct the southern leg of the 70 Vest (right-in/right-out) driveway with one northbound lane (an exclusive right-turn lane) and one southbound lane.</p> <p>L. US 70 AND LOOP ROAD</p> <p>1. Construct an exclusive southbound left-turn lane on US 70 with adequate storage and appropriate tapers.</p> <p>2. Construct an exclusive northbound right-turn lane on US 70 with adequate storage and appropriate tapers.</p> <p>3. Modify the existing median on US 70 to permit southbound left-turn from US 70 onto the loop road while prohibiting left-turns from the loop road onto US 70.</p>	

Table D5. Summary of Development Plan		
	<p>M. ACC BOULEVARD EXTENSION</p> <ol style="list-style-type: none"> 1. Construct ACC Boulevard within the project limits, to City of Durham and NCDOT standards with adequate laneage and bicycle lanes, sidewalks, and street lights on both sides of the roadway. <p>N. ACC BOULEVARD EXTENSION AND CONNECTOR ROAD (AKA STREET A)/TRACT 3 DRIVEWAY</p> <ol style="list-style-type: none"> 1. Construct an exclusive eastbound left-turn lane on ACC Boulevard Extension with adequate storage and appropriate tapers. 2. Construct an exclusive westbound left-turn lane on ACC Boulevard Extension with adequate storage and appropriate tapers. 3. Construct an exclusive northbound left-turn lane on the connector road with adequate storage and appropriate tapers. 4. Construct the proposed Tract 3 driveway to provide two southbound lanes (a through lane and an exclusive left-turn lane) and one northbound lane. <p>O. ANDREWS CHAPEL ROAD/TRACT 3 DRIVEWAY AND COZART ROAD</p> <ol style="list-style-type: none"> 1. Construct a single-lane roundabout at this intersection to NCDOT and City of Durham standards. 2. Construct the Tract 3 driveway to provide one eastbound lane and one westbound lane. <p>P. T.W. ALEXANDER DRIVE AND TRACT 1 (RIGHT-IN/RIGHT-OUT) DRIVEWAY</p> <ol style="list-style-type: none"> 1. Construct the Tract 1 (right-in/right-out) driveway with one eastbound lane (an exclusive right-turn lane) and one westbound lane. <p>Q. COZART ROAD</p> <ol style="list-style-type: none"> 1. Construct Cozart Road within the project limits to City of Durham and NCDOT standards with adequate laneage, bicycle lanes or other bicycle accommodations as deemed appropriate by City Transportation at the site plan stage, sidewalks and street lights along the project frontage. 	

Table D5. Summary of Development Plan		
	2. Other commitments	
	<p>A. Right-of-way within the project limits to accommodate the future grade separation at US 70 and T.W. Alexander Drive will be dedicated prior to issuance of a building permit for the portion of the CG(D) zoning district within the loop road.</p> <p>B. Right-of-way for Cozart Road realignment within the project limits to be dedicated prior to a building permit in the PDR 12.000 zoning district requiring access to Andrews Chapel Road. Right-of-way will accommodate adequate laneage, bike lanes or other bicycle accommodations as deemed appropriate by City Transportation at the site plan stage, sidewalks and street lights along the project frontage.</p> <p>C. 200-foot greenway easement to be dedicated for Brier Creek Trail. Dedications shall be made prior to the issuance of a building permit for any portion(s) of the trail easement shown on any site plan.</p> <p>D. Strengthen the existing pavement structure on Andrews Chapel Road from Cozart Road to Del Webb Arbors Drive as required by NCDOT prior to issuance of a certificate of occupancy in the PDR 12.000 zoning district requiring access to Andrews Chapel Road.</p> <p>E. Right-of-way for Cozart Road – Andrews Chapel Road roundabout to be dedicated prior to a building permit in the PDR 12.000 zoning district requiring access to Andrews Chapel Road.</p> <p>F. Dedicate right-of-way for ACC Boulevard within the project limits to City of Durham and NCDOT standards with adequate laneage , bicycle lanes, sidewalks and street lights along the project frontage. Such right-of-way dedication will occur in phases consistent with the access requirements and frontages of individual site plans, and prior to issuance of a building permit within each respective site plan.</p> <p>G. Dedicate right-of-way for loop road within the project limits to City of Durham and NCDOT standards with adequate laneage, bike lanes, sidewalks and street lights along the project frontage. Such right-of-way dedication will occur in phases consistent with the access requirements and frontages of individual site plans, and prior to issuance of a building permit within each respective site plan.</p> <p>H. Dedicate right-of-way for Street A to City of Durham and NCDOT standards with adequate laneage, bike lanes, sidewalks and street lights along the project frontage. Such right-of-way dedication will occur in phases consistent with the access requirements and frontages of individual site plans, and prior to issuance of a building permit within each</p>	Cover

Table D5. Summary of Development Plan		
	respective site plan.	
SIA Commitments	None provided	N/A
Design Commitments (summary)	<p><u>Architectural Style</u> Architecture defined by roofline, materials, and other features.</p> <p><u>Roofline</u> Pitched or flat roofs with parapets.</p> <p><u>Building Materials</u> One or more of 16 exterior surface materials.</p> <p><u>Design Transition to Context Area</u> None.</p>	Cover

Appendix E: Adopted Plans Supporting Information

Table E. Adopted Plans	
<i>Comprehensive Plan</i>	
Policy	Requirement
Future Land Use Map	<p>Low-Medium Density Residential (4-8 DU/Ac.): Land primarily used for a range of residential uses at four to eight dwelling units an acre.</p> <p>Commercial: Land used primarily for retail, entertainment, office, and services.</p> <p>Recreation and Open Space: Identify and protect identified areas. [Note: the property within this request has not been specifically identified].</p> <p>Suburban Tier: Land uses that shall be allowed include Recreation and Open Space, Agricultural, Residential, Institutional, Commercial, Office, Research/Research Application, and Industrial.</p>
2.2.2a	Suburban Tier Development Focus: Ensure that the Suburban Tier has sufficient land to accommodate anticipated population growth and its attendant demands for housing, employment, and goods and services, including opportunities for affordable housing and recreation.
2.2.2b	Suburban Tier Land Uses: Land uses that shall be allowed include Recreation and Open Space, Agricultural, Residential, Institutional, Commercial, Office, Research/Research Application, and Industrial.
2.3.1a	Contiguous Development: Support orderly development patterns that take advantage of the existing urban services, and avoid, insofar as possible, patterns of leapfrog, noncontiguous, scattered development within the Urban Growth Area.
2.3.2a	Infrastructure Capacity. Consider the impacts to the existing capacities of the transportation, water, and sewer systems, and other public facilities and services. Measure from the potential maximum impact of current policy or regulation to the potential maximum impact of the proposed change in policy or regulation.

Table E. Adopted Plans	
8.1.2h	Transportation Plan Implementation. Use the Comprehensive Transportation Plan and Wake-Durham Comprehensive Street System Plan and other adopted collector street plans when evaluating new development and require new development provide facilities in conformance with those plans.
8.1.2j	Transportation Level of Service Maintenance: Not recommend approval for any zoning map change which would result in the average daily trips exceeding 110% of the adopted level of service standards for any adjacent road, unless the impact on the adjacent roads is mitigated.
8.1.4d	Development Review and the Adopted Bicycle Plans: Review development proposals in relation to the 2006 Comprehensive Durham Bicycle Transportation Plan and the Bicycle Component of the most recent adopted Long Range Transportation Plan, and seek dedication or reservation of right-of-way or easements and construction of facilities in conformance with that Plan and Complete Street design standards.
8.1.4p	New Bicycle Routes: Wherever possible, incorporate recommended bike lanes or wide shoulders during street resurfacing or reconstruction and convert railroad corridors to bikeways.
11.1.1a	School Level of Service Standard: The level of service for public school facilities shall be established as a maximum enrollment of 110 percent of the system's maximum permanent building capacity, measured on a system-wide basis for each type of facility.
11.1.1b	Adequate Schools Facilities: Recommend denial of all Zoning Map amendments that proposed to allow an increase in projected student generation over that of the existing zoning that would cause schools of any type to exceed the level of service.
Long Range Bicycle Plan	
Map 4-8 shows a greenway along the stream tributary affecting this site.	
Durham Trails and Greenways Master Plan	
The Brier Creek Greenway is planned to be located on this site.	

Appendix F: Site Conditions and Context Supporting Information

Table F. Site Context			
	Existing Uses	Zoning Districts	Overlays
North	Vacant (approved for residential)	PDR 3.700	None
East	Vacant (approved for residential)	RR, PDR 8.000, PDD (Raleigh jurisdiction), R-4 (Raleigh jurisdiction)	None
South	Mix of uses	CUD-TD (Raleigh jurisdiction)	None
West	Vacant	R-4, CUD-TD, and TD (all Raleigh jurisdiction)	None

Appendix G: Infrastructure Supporting Information

Table G1. Road Impacts		
T.W. Alexander Drive and US 70 are the major roads impacted by the proposed zoning change. There are two scheduled NCDOT roadway improvement projects in the area.		
1) NCDOT TIP Project U-4720 will provide improvements to the US 70 corridor from Lynn Road to the Wake County Line. This project is currently unfunded. 2) NCDOT TIP U-4721 will construct the Northern Durham Parkway from US 70 to US 501 (N. Roxboro Street). This project is currently unfunded.		
Affected Segments	T.W. Alexander Drive	US 70 Highway
Current Roadway Capacity (LOS D) (AADT)	42,200	42,200
Latest Traffic Volume (AADT)	21,000	27,000
Traffic Generated by Present Designation (average 24 hour)*	1,426	
Traffic Generated by Proposed Designation (average 24 hour)**	33,013 (103% of TIA)	
Impact of Proposed Designation	+31,587	

Source of LOS Capacity: FDOT Generalized Level of Service Volume Table 4-1 (2012)

T.W. Alexander Drive: 4-lane divided Class I arterial with right-turn lanes

US 70: 4-lane divided Class I arterial with right-turn lanes

Source of Latest Traffic Volume: 2011 NCDOT Traffic Count Map

***Assumption (Max Use of Existing Zoning)** –RR: 141 single-family lots.

****Assumption (Max per Traffic Impact Analysis)** – CG (D): 326,000 square-feet retail, 60,000 square-feet supermarket, 15,000 square-feet pharmacy with drive-up window, bank with four drive-up lanes, 16,000 square-feet high-turnover sit-down restaurant, 8,000 square-feet fast-food restaurant with drive-up window; PDR 10.600: 495 apartment units and 165 townhome units.

Table G2. Transit Impacts
Transit service is provided adjacent to the site along T.W. Alexander Drive via DATA Route 15. The nearest bus stop is located along the frontage of the adjacent parcel to the east within ¼ mile of the site.

Table G3. Utility Impacts
This site will be served by City water and sewer.

Table G4. Drainage/Stormwater Impacts
The impacts of any change will be assessed at the time of site plan review. The subject site is of sufficient size and shape to accommodate appropriate stormwater facilities that may be required at this time.

Table G5. School Impacts			
The proposed zoning is estimated to generate 207 students. This represents an increase of 20 students in Durham County and 139 students in Wake County (total student increase of 159 students) over the existing zoning. Durham Public Schools serving the site are Spring Valley Elementary School, Neal Middle School, and Southern High School. Wake County Schools serving the site are Brier Creek Elementary, Leesville Road Middle School, and Leesville Road High School.			
Students	Elementary School	Middle School	High School
Current Building Capacity	16,695	7,824	10,080
Maximum Building Capacity (110% of Building Capacity)	18,365	8,606	11,088
20th Day Attendance (2013-14 School Year)	16,579	7,465	9,737
Committed to Date (January 2011 – December 2013)	97	27	-32
Available Capacity	1,689	1,114	1,383
Potential Students Generated – Current Zoning Durham County*	2	1	2
Potential Students Generated – Proposed Zoning Durham County**	11	6	8
Impact of Proposed Zoning	+9	+5	+6
Potential Students Generated – Current Zoning Wake County*	19	10	14
Potential Students Generated – Proposed Zoning Wake County**	79	42	61
Impact of Proposed Zoning – Wake County	+60	+32	+47

*Assumption- (Max Use of Existing Zoning) –RR: 141 single-family lots.

**Assumption- (Max Use of Existing Zoning) – PDR 12.000: 603 units, CG(D): no residential indicated.

Table G6. Water Supply Impacts	
This site is estimated to generate a total of 142,215 GPD if developed to its maximum potential with the proposed zoning district. This represents an increase of 120,360 GPD over the existing zoning district.	
Current Water Supply Capacity	37.00 MGD
Present Usage	25.83 MGD
Approved Zoning Map Changes (April 2011 – March 2014)	0.17 MGD
Available Capacity	11.00 MGD
Estimated Water Demand Under Present Zoning*	21,855 GPD
Potential Water Demand Under Proposed Zoning**	142,215 GPD
Potential Impact of Zoning Map Change	+120,360

Notes: MGD = Million gallons per day

*Assumption- (Max Use of Existing Zoning) –RR: 141 single-family lots.

**Assumption- (Max Use of Existing Zoning) – PDR 12.000: 603 units, CG(D): 390,000 square feet non-residential development.

Attachments:

8. COD TIA Memorandum
9. NCDOT TIA Memorandum

Appendix K: Summary of Planning Commission Meeting

Attachments:

10. Planning Commissioner's Written Comments
11. Ordinance Form
12. Consistency Statement